

## 780 CMR 120.M 105 Pool Barrier Requirements

**120.M105.2 Outdoors private swimming pool:** An outdoors private swimming pool, including and in-ground, above ground or on-ground pool, hot tub or spa shall be provided with a barrier which shall comply with the following:

1. The top of the barrier shall be at least 48" (1219 mm) above finish ground level measured on the side of the barrier, which faces away from the swimming pool. The maximum vertical clearance between finished ground level and the barrier shall be 2" (51mm) measured on the side of the barrier, which faces away from the swimming pool. Where the top of the pool structure is above finished ground level, such as an above ground pool, the barrier shall be at finished ground level, such as the pool structure, or shall be mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4" (102mm).
2. Opening in the barrier shall not allow passage of a four-inch-diameter (102 mm) sphere.
3. Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.
4. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45" (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1.75 inches (44 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.
5. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45" (1143mm) or more, spacing between vertical members shall not exceed 4 inches (102mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44mm) in width.
6. Maximum mesh size for chain link fences shall be a 2.25-inch (57 mm) square unless the fence is provided with slats fastened at the top or the bottom which reduce the openings to not more than 1.75 inches (44 mm).
7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the dimensional members shall be not more than 1.75 inches (44 mm).
8. Access gates shall comply with the requirements of 780 CMR 120.M105.2, **Items 1 through 7**, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from the bottom of the gate, the release mechanism and openings shall comply with the following: **8.1.** The release mechanism shall be located on the pool side of the gate at least three inches (76 mm) below the top of the gate and **8.2.** The gate and barrier shall have no opening greater than 0.5 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.
9. Where a wall of a dwelling serves as part of the barrier, one of the following shall be met: **9.1.** The pool shall be equipped with a powered safety cover in compliance with ASTM F1346; or **9.2.** All doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and its screen, if present, are opened. The alarm shall sound continuously for a minimum of 30 seconds immediately after the door is opened and be capable of being heard throughout the house during normal house-hold activities. The alarm shall automatically reset under all conditions. The alarm system shall be equipped with a manual means, such as touchpad or switch, to temporarily deactivate the alarm for a single opening. Such deactivation shall last for not more than 15 seconds. The deactivation switch(es) shall be located at least 54 inches (1372 mm) above the threshold of the door; or **9.3.** Other means of protection such as self-closing doors with self-latching devices, which are approved by the governing body, shall be acceptable so long as the degree of protection afforded is not less than the protection afforded by 780 CMR 120.M105.2, Item 9.1 or 9.2.
10. Where an aboveground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then: **10.1.** The ladder or steps shall be capable of being secured, locked or removed to prevent access, or **10.2.** The ladder or steps shall be surrounded by a barrier which meets the requirements of 780 CMR 120.M105.2, **Items 1 through 9**. When the ladder or steps are secured, locked or removed, any opening created shall not allow the pass 120.Me of a four-inch-diameter (102 mm) sphere.

*Note that for private, above ground pools:*

1. *The pool wall of an outdoor, above ground pool (with pool walls extending at least 48 inches above grade at all points along the pool), substitutes for a fence or other barrier around the pool with the exception of the ladder area of the pool.*
2. *A retractable, lockable ladder, that cannot be removed (without tools or special knowledge available to a small child), which retracts, by hinge or sliding mechanism, to 48 inches or more above the finished grade level and has provision for securing in the retracted mode with a locking device, shall be considered an acceptable alternative to the applicable required enclosure (fence or other gate barrier) of the 780 CMR 421 (6<sup>th</sup> Edition Building Code), or 780 CMR 120.M (7<sup>th</sup> Edition Building Code for One- and Two-Family Dwellings).*
3. *The retractable ladder locking/release device must be located at least 54 inches above the finished grade level in immediate vicinity of the retractable ladder or such locking/release mechanism shall be located on the pool side of the ladder (forcing "reach around") and located at least three inches below the top of the ladder and the ladder shall not have an opening greater than ½ inch within 18 inches of the locking/release mechanism. Exception: Public and semi-public outdoor in-ground swimming pool enclosures shall conform to the requirements of M.G.L. c.140, § 206.*